



# राजपत्र, हिमाचल प्रदेश

## हिमाचल प्रदेश राज्य शासन द्वारा प्रकाशित

वीरवार, 3 अगस्त, 2017 / 12 श्रावण, 1939

हिमाचल प्रदेश सरकार

LABOUR & EMPLOYMENT DEPARTMENT

NOTIFICATION

*Shimla-171001, the 30th May, 2016*

**No. 11-23/84(Lab)ID/2016/Una.**—It appears to the undersigned that an industrial dispute exists between Shri Bhajan Singh s/o Shri Mangal Singh, c/o Shri R.K. Singh Parmar, General Secretary, Pb. INTUC, L-211, Brari, P.O. Partap Nagar, Tehsil Nangal, District Ropar, Punjab and Managing Director, M/s Arvind Talwar Machine Tools (P) Limited, V.P.O. Nangal Khurad, Tehsil Haroli, District Una, H.P. on the issue of alleged termination from services *w.e.f.* 01-07-2014 (as alleged by workman).

As per the report under section 12(4) of the Industrial Disputes Act, 1947 submitted by the Conciliation Officer, he tried his level best to settle the dispute during conciliation proceedings but could not succeed. The report so received has been considered by the undersigned and as per power vested under sub section 5 of Section 12 of the Act *ibid*, the undersigned has decided that this dispute is required to be legally adjudicated by the Labour Court/ Industrial Tribunal.

Therefore, the undersigned while exercising the powers vested by the Govt. of Himachal Pradesh *vide* Notification No. Shram (A) 4-9/2006-IV-Loose, dated 15th February, 2014 and as per power vested under sub-section 1 of Section 10 of The Industrial Disputes Act, 1947 (14 of 1947) this industrial dispute is referred to the Labour Court/Industrial Tribunal Dharamshala, constituted under Section 7 of Act *ibid*, on the following issue/ issues for legal adjudication:—

“Whether termination of the services of Shri Bhajan Singh s/o Shri Mangal Singh, c/o Shri R.K. Singh Parmar, General Secretary, Pb. INTUC, L-211, Brari, P.O. Partap Nagar, Tehsil Nangal, District Ropar, Punjab *w.e.f.* 01-07-2014 (as alleged by workman) by the Managing Director, M/s Arvind Talwar Machine Tools (P) Limited, V.P.O. Nangal Khurad, Tehsil Haroli, District Una, H.P., without complying with the provisions of the Industrial Disputes Act, 1947, is legal and justified? If not, what amount of back wages, seniority, past service benefits and compensation the above worker is entitled to from the above employer?”

By order,  
Sd/-

*Deputy Labour Commissioner.*

## LABOUR & EMPLOYMENT DEPARTMENT

### NOTIFICATION

*Shimla-171001, the 18th May, 2016*

**No. 11-1/18(Lab)ID/2016/Sunder Nagar.**—It appears to the undersigned that an industrial dispute exists between Shri Chet Ram s/o Shri Atma Ram, r/o V.P.O. Balag, District Mandi, H.P. and the Divisional Forest Officer, Suket Forest Division, Sunder Nagar, District Mandi, H.P. on the issue of alleged time to time termination of his services during September, 1998 to October, 2009.

As per the report under section 12(4) of the Industrial Disputes Act, 1947 submitted by the Conciliation Officer, he tried his level best to settle the dispute during conciliation proceedings but could not succeed. The report so received has been considered by the undersigned and as per power vested under sub section 5 of Section 12 of the Act *ibid*, the undersigned has decided that this dispute is required to be legally adjudicated by the Labour Court/ Industrial Tribunal.

Therefore, the undersigned while exercising the powers vested by the Govt. of Himachal Pradesh *vide* Notification No. Shram (A) 4-9/2006-IV-Loose, dated 15th February, 2014 and as per power vested under Sub Section 1 of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) this industrial dispute is referred to the Labour Court/ Industrial Tribunal Dharamshala, constituted under Section 7 of Act *ibid*, on the following issue/ issues for legal adjudication:—

“Whether time to time termination of the services of Shri Chet Ram s/o Shri Atma Ram, R/O V.P.O. Balag, District Mandi, H.P. during September, 1998 to October, 2009 by the Divisional Forest Officer, Suket Forest Division, Sunder Nagar, District Mandi, H.P.,

without complying with the provisions of the Industrial Disputes Act, 1947, is legal and justified? If not, what amount of back wages, seniority, past service benefits and compensation the above worker is entitled to from the above employer?"

By order,  
Sd/-  
Deputy Labour Commissioner.

## LABOUR & EMPLOYMENT DEPARTMENT

### NOTIFICATION

*Shimla-171001, the 30th May, 2016*

**No. 11-1/85(Lab) ID/2016/Kangra.**—It appears to the undersigned that an industrial dispute exists between Shri Des Raj s/o Shri Phoolan Ram, r/o V.P.O. Kotpalhari, Tehsil Nurpur, District Kangra, H.P. and (i) the Executive Engineer, Nurpur Division, H.P.P.W.D. Nurpur, District Kangra, H.P. (ii) the Executive Engineer, Jawali Division, H.P.P.W.D. Jawali, District Kangra, H.P. on the issue of alleged termination from services as daily wages beldar during November, 1982.

As per the report under section 12(4) of the Industrial Disputes Act, 1947 submitted by the Conciliation Officer, he tried his level best to settle the dispute during conciliation proceedings but could not succeed. The report so received has been considered by the undersigned and as per power vested under Sub Section 5 of Section 12 of the Act *ibid*, the undersigned has decided that this dispute is required to be legally adjudicated by the Labour Court/ Industrial Tribunal.

Therefore, the undersigned while exercising the powers vested by the Govt. of Himachal Pradesh *vide* Notification No. Shram (A) 4-9/2006-IV-Loose, dated 15th February 2014 and as per power vested under sub-section 1 of Section 10 of The Industrial Disputes Act, 1947 (14 of 1947) this industrial dispute is referred to the Labour Court/Industrial Tribunal Dharamshala, constituted under Section 7 of Act *ibid*, on the following issue/ issues for legal adjudication:—

“Whether alleged termination of the services of Shri Des Raj s/o Shri Phoolan Ram, r/o V.P.O. Kotpalhari, Tehsil Nurpur, District Kangra, H.P. during November, 1982 by (i) the Executive Engineer, Nurpur Division, H.P.P.W.D. Nurpur, District Kangra, H.P., (ii) the Executive Engineer, Jawali Division, H.P.P.W.D. Jawali, District Kangra, H.P., without complying with the provisions of the Industrial Disputes Act, 1947, as alleged by workman, is legal and justified; whereas he has raised the industrial dispute *vide* demand notice dated 26-11-2013 after lapse of more than 14 years. If not, keeping in view delay of more than 14 years in raising the industrial dispute, what amount of back wages, seniority, past service benefits and compensation the above ex-worker is entitled to from the above employers?”

By order,  
Sd/-  
Deputy Labour Commissioner.

**LABOUR & EMPLOYMENT DEPARTMENT****NOTIFICATION***Shimla-171001, the 12th May, 2016*

**No. 11-1/11(Lab)ID/2016/Nurpur.**—It appears to the undersigned that an industrial dispute exists between Shri Dev Raj s/o Shri Achar Singh, r/o Village Nanglahar, P.O. Geora, Tehsil Nurpur, District Kangra, H.P. and the Managing Director, M/s Kwaliti Pharmaceuticals Private Limited, Industrial Area, Plot No. 1, Raja Ka Bag, Jassur, Tehsil Nurpur, District Kangra, H.P. on the issue of alleged termination of his services *w.e.f.* 28-08-2014 (as alleged by workman).

As per the report under section 12(4) of the Industrial Disputes Act, 1947 submitted by the Conciliation Officer, he tried his level best to settle the dispute during conciliation proceedings but could not succeed. The report so received has been considered by the undersigned and as per power vested under sub-section 5 of Section 12 of the Act *ibid*, the undersigned has decided that this dispute is required to be legally adjudicated by the Labour Court/ Industrial Tribunal.

Therefore, the undersigned while exercising the powers vested by the Govt. of Himachal Pradesh vide Notification No. Shram (A) 4-9/2006-IV-Loose, dated 15th February, 2014 and as per power vested under sub-section 1 of Section 10 of The Industrial Disputes Act, 1947 (14 of 1947) this industrial dispute is referred to the Labour Court/ Industrial Tribunal Dharamshala, constituted under Section-7 of Act *ibid*, on the following issue/ issues for legal adjudication:—

“Whether termination of the services of Shri Dev Raj s/o Shri Achar Singh, r/o Village Nanglahar, P.O. Geora, Tehsil Nurpur, District Kangra, H.P. *w.e.f.* 28-08-2014 (as alleged by workman) by the Managing Director, M/s Kwaliti Pharmaceuticals Private Limited, Industrial Area, Plot No. 1, Raja Ka Bag, Jassur, Tehsil Nurpur, District Kangra, H.P., without complying with the provisions of the Industrial Disputes Act, 1947, is legal and justified? If not, what amount of back wages, seniority, past service benefits and compensation the above worker is entitled to from the above employer?”

By order,  
Sd/-

*Deputy Labour Commissioner.*

**LABOUR & EMPLOYMENT DEPARTMENT****NOTIFICATION***Shimla-171001, the 30th May, 2016*

**No. 11-1/18(Lab) ID/2016/Sunder Nagar.**—Whereas the Labour Inspector-cum-Conciliation Officer, Sunder Nagar has submitted a report as provided under Section-12(4) of the Industrial Disputes Act, 1947 stating that there was an alleged industrial dispute in between Shri Devender Kumar s/o Shri Mani Ram, r/o Village Nalu, P.O. Jaidevi, Tehsil Sunder Nagar, District Mandi, H.P. and the Senior Executive Engineer, Electrical Division, H.P.S.E.B. Limited Sunder Nagar, District Mandi, H.P. as per demand notice dated 25-03-2013 submitted by the said ex-worker regarding his termination of services.

Whereas, the Labour Officer-*cum*-Conciliation Officer, has incorporated in the report that during the course of conciliation proceedings for the purpose of bringing about a legal and amicable settlement, all matters affecting the settlement were investigated and has made all efforts for the purpose of inducing the parties to come to legal, fair and amicable settlement of the said dispute. However, no such settlement could be arrived at in between the parties to the industrial dispute.

Whereas, undersigned while exercising the power vested as provided under sub-section 5 of Section 12 of the Act *ibid* carefully examined the report and come to the conclusion that above ex-worker had raised the dispute of alleged illegal termination from the services *w.e.f.* 01-12-1998 before the above employer after delay of more than 14 years and has worked only from 08-10-1990 to 30-11-1998 respectively.

Therefore, the undersigned while exercising the powers vested by the Govt. of Himachal Pradesh *vide* Notification No. Shram (A) 4-9/2006-IV-Loose, dated 15th February, 2014 and as per power vested under sub-section 1 of Section-10 of The Industrial Disputes Act, 1947 (14 of 1947) this industrial dispute is referred to the Labour Court/Industrial Tribunal Dharamshala, constituted under Section 7 of Act *ibid*, on the following issue/ issues for legal adjudication:—

“Whether alleged termination of the services of Shri Devender Kumar s/o Shri Mani Ram, r/o Village Nalu, P.O. Jaidevi, Tehsil Sunder Nagar, District Mandi, H.P. *w.e.f.* 01-12-1998 by the Senior Executive Engineer, Electrical Division, H.P.S.E.B. Limited Sunder Nagar, District Mandi, H.P., without complying with the provisions of the Industrial Disputes Act, 1947, as alleged by workman, is legal and justified; whereas he has raised the industrial dispute *vide* demand notice dated 25-03-2013 after lapse of more than 14 years. If not, keeping in view delay of more than 14 years in raising the industrial dispute, what amount of back wages, seniority, past service benefits and compensation the above ex-worker is entitled to from the above employer?”

By order,  
Sd/-

Deputy Labour Commissioner.

## LABOUR & EMPLOYMENT DEPARTMENT

### NOTIFICATION

*Shimla-171001, the 29th May, 2016*

**No.: 11-1/18(Lab)ID/2016/Sunder Nagar.**—It appears to the undersigned that an industrial dispute exists between Shri Ghanshyam s/o Shri Tek Chand, r/o Village Bhakha, P.O. Nihari, Sunder Nagar, District Mandi, H.P. and the Divisional Forest Officer, Suket Forest Division, Sunder Nagar, District Mandi, H.P. on the issue of alleged time to time termination of his services during May, 2010 to June, 2014.

As per the report under Section 12(4) of the Industrial Disputes Act, 1947 submitted by the Conciliation Officer, he tried his level best to settle the dispute during conciliation proceedings but could not succeed. The report so received has been considered by the undersigned and as per power vested under sub-section 5 of Section 12 of the Act *ibid*, the undersigned has decided that this dispute is required to be legally adjudicated by the Labour Court/ Industrial Tribunal.

Therefore, the undersigned while exercising the powers vested by the Govt. of Himachal Pradesh *vide* Notification No. Shram (A) 4-9/2006-IV-Loose, dated 15th February, 2014 and as per power vested under Sub Section-1 of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) this industrial dispute is referred to the Labour Court/ Industrial Tribunal Dharamshala, constituted under Section 7 of Act *ibid*, on the following issue/ issues for legal adjudication:—

“Whether time to time termination of the services of Shri Ghanshyam s/o Shri Tek Chand, R/O Village Bhakha, P.O. Nihari, Sunder Nagar, District Mandi, H.P. during May, 2010 to June, 2014 by the Divisional Forest Officer, Suket Forest Division, Sunder Nagar, District Mandi, H.P., without complying with the provisions of the Industrial Disputes Act, 1947, is legal and justified? If not, what amount of back wages, seniority, past service benefits and compensation the above worker is entitled to from the above employer?”

By order,  
Sd/-

*Deputy Labour Commissioner.*

## LABOUR & EMPLOYMENT DEPARTMENT

### NOTIFICATION

*Shimla-171001, the 9th May, 2016*

**No. 11-5/99(Lab) ID/2016/Chamba.**—Whereas the Labour Officer-cum-Conciliation Officer, Chamba has submitted a report as provided under Section 12(4) of the Industrial Disputes Act, 1947 stating that there was an alleged industrial dispute in between Smt. Guddi Devi W/O Shri Shambhu Ram, r/o Village Thandal, P.O. Purthi, Tehsil Pangi, District Chamba, H.P. and the Executive Engineer, Killar Division, H.P.P.W.D./I.&P.H., Killar (Pangi), District Chamba, H.P. as per demand notice dated nil received in the Labour Office Chamba on 09-04-2012 submitted by the said ex-worker regarding her termination of services.

Whereas, the Labour Officer-cum-Conciliation Officer, has incorporated in the report that during the course of conciliation proceedings for the purpose of bringing about a legal and amicable settlement, all matters affecting the settlement were investigated and has made all efforts for the purpose of inducing the parties to come to legal, fair and amicable settlement of the said dispute. However, no such settlement could be arrived at in between the parties to the industrial dispute.

Whereas, undersigned while exercising the power vested as provided under sub-section 5 of Section 12 of the Act *ibid* carefully examined the report and come to the conclusion that above ex-worker had raised the dispute of alleged illegal termination from the services during September, 2004 before the above employer after delay of more than 7 years and has worked only for 86, 72, 30, 98, 48, 120, 110 and 78 days during years 1997, 1998, 1999, 2000, 2001, 2002, 2003 and 2004 respectively.

Therefore, in view of the above facts and circumstances, the undersigned while exercising the powers vested by the Govt. of Himachal Pradesh *vide* Notification No.: Shram (A) 4-9/2006-IV-Loose, dated 15th February, 2014 and as provided in sub-section 1 of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) and keeping in view the latest judgments of the Hon'ble High Court of Himachal Pradesh, Shimla about the declining the references to the Labour Court for

adjudication, formed an opinion to refer this dispute to the Labour Court/Industrial Tribunal Dharamshala, constituted under Section 7 of Act *ibid*, for legal adjudication on following issue:—

“Whether alleged termination of services of Smt. Guddi Devi w/o Shri Shambhu Ram, r/o Village Thandal, P.O. Purthi, Tehsil Pangi, District Chamba, H.P. during September, 2004 by the Executive Engineer, Killar Division, H.P.P.W.D./I.&P.H. Killar (Pangi), District Chamba, H.P., who has worked as beldar on daily wages basis and has raised her industrial dispute after more than 7 years, allegedly without complying with the provisions of the Industrial Disputes Act, 1947 is legal and justified? If not, keeping in view of working period of 86, 72, 30, 98, 48, 120, 110 and 78 days during years 1997, 1998, 1999, 2000, 2001, 2002, 2003 and 2004 respectively and delay of more than 7 years in raising the industrial dispute, what amount of back wages, seniority, past service benefits and compensation the above ex-worker is entitled to from the above employer/management? ”

By order,  
Sd/-

Deputy Labour Commissioner.

## LABOUR & EMPLOYMENT DEPARTMENT

### NOTIFICATION

*Shimla-171001, the 30th May, 2016*

**No. 11-1/85(Lab) ID/2016/Kangra.**—It appears to the undersigned that an industrial dispute exists between Shri Gulzari Lal alias Yashpal s/o Shri Bihari Lal, r/o Village Loharpura, Tehsil Suliali, District Kangra, H.P. and (i) the Executive Engineer, Nurpur Division, H.P.P.W.D. Nurpur, District Kangra, H.P., (ii) the Executive Engineer, Jawali Division, H.P.P.W.D. Jawali, District Kangra, H.P. on the issue of alleged termination from services as daily wages beldar during October, 1990.

As per the report under section 12(4) of the Industrial Disputes Act, 1947 submitted by the Conciliation Officer, he tried his level best to settle the dispute during conciliation proceedings but could not succeed. The report so received has been considered by the undersigned and as per power vested under Sub Section 5 of Section 12 of the Act *ibid*, the undersigned has decided that this dispute is required to be legally adjudicated by the Labour Court/ Industrial Tribunal.

Therefore, the undersigned while exercising the powers vested by the Govt. of Himachal Pradesh vide Notification No.: Shram (A) 4-9/2006-IV-Loose, dated 15th February, 2014 and as per power vested under sub-section 1 of Section 10 of The Industrial Disputes Act, 1947 (14 of 1947) this industrial dispute is referred to the Labour Court/Industrial Tribunal Dharamshala, constituted under Section 7 of Act *ibid*, on the following issue/ issues for legal adjudication:—

“Whether alleged termination of the services of Shri Gulzari Lal *alias* Yashpal s/o Shri Bihari Lal, r/o Village Loharpura, Tehsil Suliali, District Kangra, H.P. during October, 1990 by (i) the Executive Engineer, Nurpur Division, H.P.P.W.D. Nurpur, District Kangra, H.P. (ii) the Executive Engineer, Jawali Division, H.P.P.W.D. Jawali, District Kangra, H.P., without complying with the provisions of the Industrial Disputes Act, 1947, as alleged by workman, is legal and justified; whereas he has raised the industrial dispute *vide* demand notice dated 09-04-2014 after lapse of more than 23 years. If not, keeping in view delay of

more than 23 years in raising the industrial dispute, what amount of back wages, seniority, past service benefits and compensation the above ex-worker is entitled to from the above employers?"

By order,  
Sd/-  
Deputy Labour Commissioner.

## LABOUR & EMPLOYMENT DEPARTMENT

### NOTIFICATION

*Shimla-171001, the 30th May, 2016*

**No. 11-1/85(Lab) ID/2016/Kangra.**—It appears to the undersigned that an industrial dispute exists between Shri Subhash Singh s/o Shri Fateh Singh, r/o Village Nera, P.O. Suliali, Tehsil Nurpur, District Kangra, H.P. and (i) the Executive Engineer, Nurpur Division, H.P.P.W.D. Nurpur, District Kangra, H.P., (ii) the Executive Engineer, Jawali Division, H.P.P.W.D. Jawali, District Kangra, H.P. on the issue of alleged termination from services as daily wages beldar during September, 1987.

As per the report under section 12(4) of the Industrial Disputes Act, 1947 submitted by the Conciliation Officer, he tried his level best to settle the dispute during conciliation proceedings but could not succeed. The report so received has been considered by the undersigned and as per power vested under Sub Section 5 of Section 12 of the Act *ibid*, the undersigned has decided that this dispute is required to be legally adjudicated by the Labour Court/ Industrial Tribunal.

Therefore, the undersigned while exercising the powers vested by the Govt. of Himachal Pradesh vide Notification No. Shram (A) 4-9/2006-IV-Loose, Dated 15th February, 2014 and as per power vested under sub-section 1 of Section 10 of The Industrial Disputes Act, 1947 (14 of 1947) this industrial dispute is referred to the Labour Court/Industrial Tribunal Dharamshala, constituted under Section 7 of Act *ibid*, on the following issue/ issues for legal adjudication:—

“Whether alleged termination of the services of Shri Subhash Singh s/o Shri Fateh Singh, r/o Village Nera, P.O. Suliali, Tehsil Nurpur, District Kangra, H.P. during September, 1987 by (i) the Executive Engineer, Nurpur Division, H.P.P.W.D. Nurpur, District Kangra, H.P., (ii) the Executive Engineer, Jawali Division, H.P.P.W.D. Jawali, District Kangra, H.P., without complying with the provisions of the Industrial Disputes Act, 1947, as alleged by workman, is legal and justified; whereas he has raised the industrial dispute *vide* demand notice dated 24-11-2013 after lapse of more than 26 years. If not, keeping in view delay of more than 26 years in raising the industrial dispute, what amount of back wages, seniority, past service benefits and compensation the above ex-worker is entitled to from the above employers?”

By order,  
Sd/-  
Deputy Labour Commissioner.



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**LABOUR & EMPLOYMENT DEPARTMENT****NOTIFICATION***Shimla-171001, the 30th May, 2016*

**No.: 11-1/85(Lab) ID/2016/Kangra.**—It appears to the undersigned that an industrial dispute exists between Shri Inder Singh s/o Shri Boota Singh, r/o Village Paladi, P.O. Kot, Tehsil Nurpur *at present V.P.O. Sadwan, Tehsil Nurpur, District Kangra, H.P.* and the Executive Engineer, Jawali Division, H.P.P.W.D. Jawali, District Kangra, H.P. on the issue of alleged termination from services as daily wages beldar during June, 1990.

As per the report under Section 12(4) of the Industrial Disputes Act, 1947 submitted by the Conciliation Officer, he tried his level best to settle the dispute during conciliation proceedings but could not succeed. The report so received has been considered by the undersigned and as per power vested under sub-section 5 of Section 12 of the Act *ibid*, the undersigned has decided that this dispute is required to be legally adjudicated by the Labour Court/ Industrial Tribunal.

Therefore, the undersigned while exercising the powers vested by the Govt. of Himachal Pradesh *vide* Notification No. Shram (A) 4-9/2006-IV-Loose, dated 15th February, 2014 and as per power vested under sub-section 1 of Section 10 of The Industrial Disputes Act, 1947 (14 of 1947) this industrial dispute is referred to the Labour Court/Industrial Tribunal Dharamshala, constituted under Section 7 of Act *ibid*, on the following issue/ issues for legal adjudication:—

“Whether alleged termination of the services of Shri Inder Singh s/o Shri Boota Singh, r/o Village Paladi, P.O. Kot, Tehsil Nurpur *at present V.P.O. Sadwan, Tehsil Nurpur, District Kangra, H.P.* during June, 1990 by the Executive Engineer, Jawali Division, H.P.P.W.D. Jawali, District Kangra, H.P., without complying with the provisions of the Industrial Disputes Act, 1947, as alleged by workman, is legal and justified; whereas he has raised the industrial dispute *vide* demand notice dated 07-08-2013 after lapse of more than 13 years. If not, keeping in view delay of more than 13 years in raising the industrial dispute, what amount of back wages, seniority, past service benefits and compensation the above ex-worker is entitled to from the above employers?”

By order,  
Sd/-

*Deputy Labour Commissioner.*

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**LABOUR & EMPLOYMENT DEPARTMENT****NOTIFICATION***Shimla-171001, the 13th May, 2016*

**No. 11-23/84(Lab)ID/2014/Mandi.**—It appears to the undersigned that an industrial dispute exists between Shri Jai Chand s/o Shri Adam Ram r/o V.P.O. Balag, District Mandi, H.P. and the Divisional Forest Officer, Suket Forest Division, Sunder Nagar, District Mandi, H.P. on the issue of alleged time to time termination of his services *w.e.f.* 21-11-1998 to year, 2010.

As per the report under section 12(4) of the Industrial Disputes Act, 1947 submitted by the Conciliation Officer, he tried his level best to settle the dispute during conciliation proceedings but could not succeed. The report so received has been considered by the undersigned and as per power vested under sub-section 5 of Section 12 of the Act *ibid*, the undersigned has decided that this dispute is required to be legally adjudicated by the Labour Court/ Industrial Tribunal.

Therefore, the undersigned while exercising the powers vested by the Govt. of Himachal Pradesh *vide* Notification No. Shram (A) 4-9/2006-IV-Loose, dated 15th February, 2014 and as per power vested under Sub Section 1 of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) this industrial dispute is referred to the Labour Court/ Industrial Tribunal Dharamshala, constituted under Section 7 of Act *ibid*, on the following issue/ issues for legal adjudication:—

“Whether time to time termination of the services of Shri Jai Chand s/o Shri Adam Ram, r/o V.P.O. Balag, District Mandi, H.P. *w.e.f.* 21-11-1998 to year, 2010 by the Divisional Forest Officer, Suket Forest Division, Sunder Nagar, District Mandi, H.P., without complying with the provisions of the Industrial Disputes Act, 1947, is legal and justified? If not, what amount of back wages, seniority, past service benefits and compensation the above worker is entitled to from the above employer?”

By order,  
Sd/-

Deputy Labour Commissioner.

## LABOUR & EMPLOYMENT DEPARTMENT

### NOTIFICATION

*Shimla-171001, the 30th May, 2016*

**No. 11-5/99(Lab) ID/2016/Chamba.**—Whereas the Labour Officer-*cum*-Conciliation Officer, Chamba has submitted a report as provided under Section 12(4) of the Industrial Disputes Act, 1947 stating that there was an alleged industrial dispute in between Shri Jaisi Ram s/o Shri Ghatto Ram, r/o Village Udeen, P.O. Shoon, Tehsil Pangi, District Chamba, H.P. and the Executive Engineer, Killar Division, H.P.P.W.D., Killar (Pangi), District Chamba, H.P. as per demand notice dated 15-07-2012 submitted by the said ex-worker regarding his termination of services.

Whereas, the Labour Officer-*cum*-Conciliation Officer, has incorporated in the report that during the course of conciliation proceedings for the purpose of bringing about a legal and amicable settlement, all matters affecting the settlement were investigated and has made all efforts for the purpose of inducing the parties to come to legal, fair and amicable settlement of the said dispute. However, no such settlement could be arrived at in between the parties to the industrial dispute.

Whereas, undersigned while exercising the power vested as provided under sub-section 5 of Section-12 of the Act *ibid* carefully examined the report and come to the conclusion that above ex-worker had raised the dispute of alleged illegal termination from the services during September, 2004 before the above employer after delay of more than 7 years and has worked only for 31, 157, 176, 194, 26 and 45 days during years 1994, 1995, 1996, 1997, 1998 and 2004 respectively.

Therefore, in view of the above facts and circumstances, the undersigned while exercising the powers vested by the Govt. of Himachal Pradesh *vide* Notification No. Shram (A) 4-9/2006-IV-Loose, dated 15th February 2014 and as provided in sub-section 1 of Section-10 of the Industrial Disputes Act, 1947 (14 of 1947) and keeping in view the latest judgments of the Hon'ble High Court of Himachal Pradesh, Shimla about the declining the references to the Labour Court for adjudication, formed an opinion to refer this dispute to the Labour Court/Industrial Tribunal Dharamshala, constituted under Section 7 of Act *ibid*, for legal adjudication on following issue:—

“Whether alleged termination of services of Shri Jaisi Ram s/o Shri Ghatto Ram, r/o Village Udeen, P.O. Shoon, Tehsil Pangi, District Chamba, H.P. during September, 2004 by the Executive Engineer, Killar Division, H.P.P.W.D., Killar (Pangi), District Chamba, H.P., who has worked as beldar on daily wages basis and has raised his industrial dispute *vide* demand notice dated 15-07-2012 after more than 7 years, allegedly without complying with the provisions of the Industrial Disputes Act, 1947 is legal and justified? If not, keeping in view of working period of 31, 157, 176, 194, 26 and 45 days during years 1994, 1995, 1996, 1997, 1998 and 2004 respectively and delay of more than 7 years in raising the industrial dispute, what amount of back wages, seniority, past service benefits and compensation the above ex-worker is entitled to from the above employer/management? ”

By order,  
Sd/-

Deputy Labour Commissioner.

## LABOUR & EMPLOYMENT DEPARTMENT

### NOTIFICATION

*Shimla-171001, the 30th May, 2016*

**No.: 11-1/85(Lab) ID/2016/Kangra.**—It appears to the undersigned that an industrial dispute exists between Shri Joginder Singh s/o Shri Rumal Singh, r/o Village Nera, P.O. Suliali, Tehsil Nurpur, District Kangra, H.P. and (i) the Executive Engineer, Nurpur Division, H.P.P.W.D. Nurpur, District Kangra, H.P., (ii) the Executive Engineer, Jawali Division, H.P.P.W.D. Jawali, District Kangra, H.P. on the issue of alleged termination from services as daily wages beldar *w.e.f.* 01-10-1987.

As per the report under section 12(4) of the Industrial Disputes Act, 1947 submitted by the Conciliation Officer, he tried his level best to settle the dispute during conciliation proceedings but could not succeed. The report so received has been considered by the undersigned and as per power vested under sub-section 5 of Section 12 of the Act *ibid*, the undersigned has decided that this dispute is required to be legally adjudicated by the Labour Court/ Industrial Tribunal.

Therefore, the undersigned while exercising the powers vested by the Govt. of Himachal Pradesh *vide* Notification No. Shram (A) 4-9/2006-IV-Loose, dated 15th February] 2014 and as per power vested under Sub Section-1 of Section 10 of The Industrial Disputes Act, 1947 (14 of 1947) this industrial dispute is referred to the Labour Court/Industrial Tribunal Dharamshala, constituted under Section-7 of Act *ibid*, on the following issue/ issues for legal adjudication:—

“Whether alleged termination of the services of Shri Joginder Singh s/o Shri Rimal Singh, r/o Village Nera, P.O. Suliali, Tehsil Nurpur, District Kangra, H.P. *w.e.f.* 01-10-1987 by (i) the Executive Engineer, Nurpur Division, H.P.P.W.D. Nurpur, District Kangra, H.P., (ii) the Executive Engineer, Jawali Division, H.P.P.W.D. Jawali, District Kangra, H.P., without complying with the provisions of the Industrial Disputes Act, 1947, as alleged by workman, is legal and justified; whereas he has raised the industrial dispute *vide* demand notice dated 24-11-2013 after lapse of more than 26 years. If not, keeping in view delay of more than 26 years in raising the industrial dispute, what amount of back wages, seniority, past service benefits and compensation the above ex-worker is entitled to from the above employers?”

By order,  
Sd/-

*Deputy Labour Commissioner.*

## LABOUR & EMPLOYMENT DEPARTMENT

### NOTIFICATION

*Shimla-171001, the 12th May, 2016*

**No. 11-23/84(Lab)ID/2016/Una.**—It appears to the undersigned that an industrial dispute exists between Shri Kamal kumar s/o Shri Tilak Raj, c/o Shri R.K. Singh Parmar, General Secretary, Pb. INTUC, L-211, Brari, P.O. Partap Nagar, Tehsil Nangal, District Roper, Punjab and Managing Director, M/s Arvind Talwar Machine Tools (P) Limited, V.P.O. Nangal Khurad, Tehsil Haroli, District Una, H.P. on the issue of alleged termination from services *w.e.f.* 01-07-2014 (as alleged by workman).

As per the report under Section 12(4) of the Industrial Disputes Act, 1947 submitted by the Conciliation Officer, he tried his level best to settle the dispute during conciliation proceedings but could not succeed. The report so received has been considered by the undersigned and as per power vested under sub-section-5 of Section-12 of the Act *ibid*, the undersigned has decided that t his dispute is required to be legally adjudicated by the Labour Court/ Industrial Tribunal.

Therefore, the undersigned while exercising the powers vested by the Govt. of Himachal Pradesh vide Notification No. Shram (A) 4-9/2006-IV-Loose, Dated 15th February, 2014 and as per power vested under sub-section-1 of Section 10 of The Industrial Disputes Act, 1947 (14 of 1947) this industrial dispute is referred to the Labour Court/Industrial Tribunal Dharamshala, constituted under Section 7 of Act *ibid*, on the following issue/ issues for legal adjudication:—

“Whether termination of the services of Shri Kamal Kumar s/o Shri Tilak Raj, c/o Shri R.K. Singh Parmar, General Secretary, Pb. INTUC, L-211, Brari, P.O. Partap Nagar, Tehsil Nangal, District Roper, Punjab *w.e.f.* 01-07-2014 (as alleged by workman) by the Managing Director, M/s Arvind Talwar Machine Tools (P) Limited, V.P.O. Nangal Khurad, Tehsil Haroli, District Una, H.P., without complying with the provisions of the Industrial Disputes

Act, 1947, is legal and justified? If not, what amount of back wages, seniority, past service benefits and compensation the above worker is entitled to from the above employer?"

By order,  
Sd/-  
Deputy Labour Commissioner.

## LABOUR & EMPLOYMENT DEPARTMENT

### NOTIFICATION

*Shimla-171001, the 12th May, 2016*

**No.: 11-3/93(Lab)ID/2016/Kullu.**—It appears to the undersigned that an industrial dispute exists between Shri Khem Singh s/o Shri Sharu Ram, r/o Village Rayal, P.O. Peej, Tehsil & District Mandi, H.P. and the Senior Executive Engineer, Electrical Division, H.P.S.E.B.L. Kullu, District Kullu, H.P. on the issue of alleged termination of his services during from 26-10-1989.

As per the report under Section 12(4) of the Industrial Disputes Act, 1947 submitted by the Conciliation Officer, he tried his level best to settle the dispute during conciliation proceedings but could not succeed. The report so received has been considered by the undersigned and as per power vested under sub-section 5 of Section 12 of the Act *ibid*, the undersigned has decided that this dispute is required to be legally adjudicated by the Labour Court/ Industrial Tribunal.

Therefore, the undersigned while exercising the powers vested by the Govt. of Himachal Pradesh *vide* Notification No. Shram (A) 4-9/2006-IV-Loose, dated 15th February, 2014 and as per power vested under sub-section 1 of Section-10 of the Industrial Disputes Act, 1947 (14 of 1947) this industrial dispute is referred to the Labour Court/Industrial Tribunal Dharamshala, constituted under Section 7 of Act *ibid*, on the following issue/issues for legal adjudication:—

“Whether termination of the services of Shri Khem Singh s/o Shri Sharu Ram, r/o Village Rayal, P.O. Peej, Tehsil & District Mandi, H.P. during 26-10-1989 (as alleged by the workman), by the Senior Executive Engineer, Electrical Division, H.P.S.E.B.L. Kullu, District Kullu, H.P. who has worked as beldar on daily wages basis and has raised his industrial dispute after more than 15 years, allegedly without complying with the provisions of the Industrial Disputes Act, 1947 is legal and justified? If not, keeping in view of working period from 26-11-1986 to 26-10-1989 and delay of more than 15 years in raising the industrial dispute, what amount of back wages, seniority, past service benefits and compensation the above ex-worker is entitled to from the above employer/management? ”

By order,  
Sd/-  
Deputy Labour Commissioner.

**LABOUR & EMPLOYMENT DEPARTMENT****NOTIFICATION***Shimla-171001, the 30th May, 2016*

**No. 11-1/18(Lab)ID/2016/Sunder Nagar.**—Whereas the Labour Inspector-*cum*-Conciliation Officer, Sunder Nagar has submitted a report as provided under Section-12(4) of the Industrial Disputes Act, 1947 stating that there was an alleged industrial dispute in between Shri Kishan Lal s/o Shri Dutt Ram, r/o Village Khagrao, P.O. Jaidevi, Tehsil Sunder Nagar, District Mandi, H.P. and the Senior Executive Engineer, Electrical Division, H.P.S.E.B. Limited Sunder Nagar, District Mandi, H.P. as per demand notice dated 23-02-2013 submitted by the said exworker regarding his termination of services.

Whereas, the Labour Officer-*cum*-Conciliation Officer, has incorporated in the report that during the course of conciliation proceedings for the purpose of bringing about a legal and amicable settlement, all matters affecting the settlement were investigated and has made all efforts for the purpose of inducing the parties to come to legal, fair and amicable settlement of the said dispute. However, no such settlement could be arrived at in between the parties to the industrial dispute.

Whereas, undersigned while exercising the power vested as provided under sub-section 5 of Section-12 of the Act *ibid* carefully examined the report and come to the conclusion that above ex-worker had raised the dispute of alleged illegal termination from the services during November, 2000 before the above employer after delay of more than 12 years and has worked only from 27-02-1985 to October, 2000 respectively.

Therefore, the undersigned while exercising the powers vested by the Govt. of Himachal Pradesh vide Notification No. Shram (A) 4-9/2006-IV-Loose, dated 15<sup>th</sup> February, 2014 and as per power vested under sub-section 1 of Section 10 of The Industrial Disputes Act, 1947 (14 of 1947) this industrial dispute is referred to the Labour Court/Industrial Tribunal Dharamshala, constituted under Section 7 of Act *ibid*, on the following issue/ issues for legal adjudication:—

“Whether alleged termination of the services of Shri Kishan Lal s/o Shri Dutt Ram, r/o Village Khagrao, P.O. Jaidevi, Tehsil Sunder Nagar, District Mandi, H.P. during November, 2000 by the Senior Executive Engineer, Electrical Division, H.P.S.E.B. Limited Sunder Nagar, District Mandi, H.P., without complying with the provisions of the Industrial Disputes Act, 1947, as alleged by workman, is legal and justified; whereas he has raised the industrial dispute *vide* demand notice dated 23-02-2013 after lapse of more than 12 years. If not, keeping in view delay of more than 12 years in raising the industrial dispute, what amount of back wages, seniority, past service benefits and compensation the above ex-worker is entitled to from the above employer?”

By order,  
Sd/-

*Deputy Labour Commissioner.*

## LAW DEPARTMENT

## CORRIGENDUM

*Shimla-2, the 3rd August, 2017*

**No. LLR-D(6)-8/2017-Leg.**—In Himachal Pradesh Goods and Services Tax Act, 2017 (10 of 2017) notified *vide* this department Notification of even number dated 23rd June, 2017 and published in the Rajpatra, Himachal Pradesh on the same day at pages 2437 to 2680, in the Authoritative English Text, in the long title appearing at page 2568, the words and sign “ **inter-State**” may be read as “**intra-State**”.

By order,  
DR. BALDEV SINGH  
*LR-cum-Pr. Secretary (Law).*

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राजस्व विभाग

अधिसूचना

शिमला-2, 2 अगस्त, 2017

**संख्या: रैव-ए0 (ए0) 3-1/2017.**—हिमाचल प्रदेश के राज्यपाल, भारत के संविधान के अनुच्छेद 309 के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, हिमाचल प्रदेश लोक सेवा आयोग के परामर्श से, हिमाचल प्रदेश राजस्व विभाग में मण्डलायुक्त कार्यालयों, उपायुक्त कार्यालयों, बन्दोबस्त मण्डलों और निदेशक, भू-अभिलेख, कार्यालय में निजी सचिव, वर्ग-I (राजपत्रित) के पद के लिए इस अधिसूचना से संलग्न उपाबन्ध-“क” के अनुसार भर्ती और प्रोन्नति नियम बनाते हैं, अर्थात्:—

1. **संक्षिप्त नाम और प्रारम्भ.**—(1) इन नियमों का संक्षिप्त नाम हिमाचल प्रदेश राजस्व विभाग में मण्डलायुक्त कार्यालयों, उपायुक्त कार्यालयों, बन्दोबस्त मण्डलों और निदेशक, भू-अभिलेख कार्यालय, निजी सचिव, वर्ग-I (राजपत्रित) भर्ती और प्रोन्नति नियम, 2017 है।

(2) ये नियम राजपत्र, हिमाचल प्रदेश में प्रकाशित किए जाने की तारीख से प्रवृत्त होंगे।

आदेश द्वारा,  
हस्ताक्षरित /—  
अतिरिक्त मुख्य सचिव एवं वित्तायुक्त (राजस्व)।

उपाबन्ध-“क”

हिमाचल प्रदेश राजस्व विभाग में निजी सचिव, वर्ग-I (राजपत्रित) लिपिक वर्गीय सेवाएं के पद के लिए भर्ती और प्रोन्नति नियम

1. पद का नाम.—निजी सचिव

2. पदों (पदों) की संख्या.—18 (अठारह)  
प्रत्येक मण्डलायुक्त, कार्यालय, उपायुक्त कार्यालय, बंदोबस्त मण्डल व निदेशक, भू-अभिलेख कार्यालय में एक-एक पद ।
3. वर्गीकरण.—वर्ग—I (राजपत्रित) (लिपिक वर्गीय सेवायें)
4. वेतनमान.— ₹15600—39100 ₹5400 ग्रेड पे
5. “चयन” पद अथवा “अचयन” पद.—अचयन
6. सीधी भर्ती के लिए आयु.—लागू नहीं
7. सीधी भर्ती किए जाने वाले व्यक्ति (व्यक्तियों) के लिए अपेक्षित न्यूनतम शैक्षिक और अन्य अर्हताएं.—(क) अनिवार्य अर्हता.—लागू नहीं ।

(ख) वांछनीय अर्हता.—लागू नहीं

8. सीधी भर्ती किए जाने वाले व्यक्ति (व्यक्तियों) के लिए विहित आयु और शैक्षिक अर्हता(ए) प्रोन्नत व्यक्ति (व्यक्तियों) की दशा में लागू होगी या नहीं:

आयु.—लागू नहीं ।

शैक्षिक अर्हता.—लागू नहीं ।

9. परिवीक्षा की अवधि, यदि कोई हो.—दो वर्ष, जिसका एक वर्ष से अनाधिक ऐसी और अवधि के लिए विस्तार किया जा सकेगा जैसा सक्षम प्राधिकारी विशेष परिस्थितियों में और कारणों को लिखित में अभिलिखित करके आदेश दें ।

10. भर्ती की पद्धति: भर्ती सीधी होगी या प्रोन्नति/सैकेण्डमैण्ट/स्थानान्तरण द्वारा और विभिन्न पद्धतियों द्वारा भरे जाने वाले पद(पदों) की प्रतिशतता.—शतप्रतिशत प्रोन्नति द्वारा ।

11. प्रोन्नति/सैकेण्डमैण्ट/स्थानान्तरण द्वारा भर्ती की दशा में वे श्रेणियां(ग्रेड) जिनसे प्रोन्नति/सैकेण्डमैण्ट/स्थानान्तरण किया जाएगा.—निजी सहायक (सहायकों) में से प्रोन्नति द्वारा जिनका पांच वर्ष का नियमित सेवाकाल या ग्रेड में की गई लगातार तदर्थ सेवा, यदि कोई हो, को सम्मिलित करके पांच वर्ष का नियमित सेवाकाल हो, ऐसा न होने पर निजी सहायक (सहायकों) में से प्रोन्नति द्वारा जिनका निजी सहायक (सहायकों) और वरिष्ठ वेतनमान आशुलिपिक के रूप में संयुक्ततः चौदह वर्ष का नियमित सेवाकाल या ग्रेड में की गई लगातार तदर्थ सेवा, यदि कोई हो, को सम्मिलित करके चौदह वर्ष का नियमित सेवाकाल हो जिसमें निजी सहायक के रूप में दो वर्ष की अनिवार्य सेवा भी सम्मिलित होगी, दोनों के न होने पर निजी सहायक (सहायकों) में से प्रोन्नति द्वारा जिनका निजी सहायक, वरिष्ठ वेतनमान आशुलिपिक और कनिष्ठ वेतनमान आशुलिपिक के रूप में संयुक्ततः उन्नीस वर्ष का नियमित सेवाकाल या ग्रेड में की गई लगातार तदर्थ सेवा, यदि कोई हो, को सम्मिलित करके उन्नीस वर्ष का नियमित सेवाकाल हो जिसमें निजी सहायक के रूप में दो वर्ष की अनिवार्य सेवा भी सम्मिलित होगी। उपरोक्त समस्त के न होने पर निजी सहायक (सहायकों) में से प्रोन्नति द्वारा जिनका निजी सहायक, वरिष्ठ वेतनमान आशुलिपिक, कनिष्ठ वेतनमान आशुलिपिक और आशुलिपिक के रूप में संयुक्ततः चौबीस वर्ष का नियमित सेवाकाल या ग्रेड में की गई लगातार तदर्थ सेवा, यदि कोई हो, को सम्मिलित करके चौबीस वर्ष का नियमित सेवाकाल हो, जिसमें निजी सहायक के रूप में दो वर्ष की अनिवार्य सेवा भी सम्मिलित होगी:



परन्तु प्रोन्नति के प्रयोजन के लिए, भू-अभिलेख निदेशालय में कार्यरत पदधारियों के सिवाय, समस्त पात्र कर्मचारी (कर्मचारियों) की, उनके सेवाकाल के आधार पर उनकी संवर्गवार मूल वरिष्ठता को छोड़े बिना निम्नलिखित रीति में, एक पृथक् संयुक्त वरिष्ठता तैयार की जाएगी:—

(i) राज्य में समस्त उपायुक्तों की स्थापना में कार्यरत कर्मचारियों की उपायुक्तों के साथ निजी सचिव के पदों की प्रोन्नति के लिए एक पृथक् संयुक्त वरिष्ठता तैयार की जाएगी।

(ii) राज्य में समस्त मण्डलायुक्तों की स्थापना में कार्यरत कर्मचारियों की मण्डलायुक्तों के साथ निजी सचिव के पदों की प्रोन्नति के लिए एक पृथक् संयुक्त वरिष्ठता तैयार की जाएगी।

(iii) राज्य में समस्त बन्दोबस्त मण्डलों की स्थापना में कार्यरत कर्मचारियों की बन्दोबस्त अधिकारियों के साथ निजी सचिव के पदों की प्रोन्नति के लिए एक पृथक् संयुक्त वरिष्ठता तैयार की जाएगी:

परन्तु यह और कि विभागीय प्रोन्नति समिति की सिफारिश पर पदधारियों को जिलों/मण्डलों/बन्दोबस्त काडर पदों की उपलब्ध रिक्तियों के विरुद्ध तदनुसार तैनात/स्थानान्तरित किया जाएगा।

(I) प्रोन्नति के प्रयोजन के लिए प्रत्येक कर्मचारी को, जनजातीय/कठिन/दुर्गम क्षेत्रों और दूरस्थ/ग्रामीण क्षेत्रों में पद (पदों) की ऐसे क्षेत्रों में पर्याप्त संख्या की उपलब्धता के अध्वीन, कम से कम एक कार्यकाल तक सेवा करनी होगी:

परन्तु दूरस्थ ग्रामीण क्षेत्रों में तैनाती /स्थानान्तरण के सिवाय उपरोक्त परन्तुक (1) उन कर्मचारियों के मामले में लागू नहीं होगा जिनकी अधिवर्षिता के लिए पाँच वर्ष या उससे कम की सेवा शेष रही हो। तथापि ऐसे पदधारियों को प्रोन्नति पर दूरस्थ/ग्रामीण क्षेत्रों में तैनात/स्थानान्तरित किया जा सकेगा:

परन्तु यह और भी कि उन अधिकारियों/कर्मचारियों को, जिन्होंने जनजातीय/कठिन / दुर्गम क्षेत्रों और दूरस्थ/ग्रामीण क्षेत्रों में कम से कम एक कार्यकाल तक सेवा नहीं की है, ऐसे क्षेत्र में उसके अपने संवर्ग (काडर) में सर्वथा वरिष्ठता के अनुसार स्थानान्तरण किया जाएगा।

**स्पष्टीकरण—I.**— उपरोक्त परन्तुक (1) के प्रयोजन के लिए जनजातीय/कठिन/दुर्गम क्षेत्रों और दूरस्थ/ग्रामीण क्षेत्रों में “कार्यकाल” से साधारणतया तीन वर्ष की अवधि या प्रशासनिक अत्यावश्यकताओं/सुविधा को ध्यान में रखते हुए ऐसे क्षेत्रों में तैनाती की इससे कम अवधि अभिप्रेत होगी।

**स्पष्टीकरण—II.**—उपरोक्त परन्तुक (1) के प्रयोजन के लिए जनजातीय/कठिन / दुर्गम क्षेत्रों और दूरस्थ/ग्रामीण क्षेत्र निम्न प्रकार से होंगे:—

1. जिला लाहौल एवं स्पिति।
2. चम्बा जिला का पाँगी और भरमौर उप-मण्डल।
3. रोहडू उप-मण्डल का डोडरा क्वार क्षेत्र।
4. जिला शिमला की रामपुर तहसील का पन्द्रह बीस परगना, मुनिश दरकाली और ग्राम पंचायत काशापाट।
5. कुल्लू जिला का पन्द्रह बीस परगना।
6. काँगड़ा जिला के बैजनाथ उप-मण्डल का बड़ा भंगाल क्षेत्र।
7. जिला किन्नौर।

8. सिरमौर जिला में उप-तहसील कमरु के काठवाड़ और कोरगा पटवार वृत्त, रेणुकाजी तहसील के भलाड़-भलौना और सांगना पटवार वृत्त और शिलाई तहसील का कोटा पाब पटवार वृत्त।
9. मण्डी जिला में करसोग तहसील का खन्योल-बगड़ा पटवार वृत्त, बाली चौकी उप-तहसील के गाड़ा गोसाई, मठयानी, घनयाड़, थाची, बागी, सोमगाड़ और खोलानाल पटवार वृत्त, पद्धर तहसील के झारवाड़, कुटगढ़, ग्रामन, देवगढ़, ट्रैला, रोपा, कथोग, सिल्ह-भड़वानी, हस्तपुर, घमरेड़ और भटेढ़ पटवार वृत्त, थुनाग तहसील के चियूणी, कालीपार, मानगढ़, थाच-बगड़ा उत्तरी मगरू और दक्षिणी मगरू पटवार वृत्त और सुन्दरनगर तहसील का बटवाड़ा पटवार वृत्त।

**स्पष्टीकरण—III.**—उपर्युक्त परन्तुक (1) के प्रयोजन के लिए कठिन/ग्रामीण क्षेत्र निम्न प्रकार से होंगे:—

- (i) उप-मण्डल/तहसील मुख्यालय से 20 किलोमीटर की परिधि से परे के समस्त स्थान।
- (ii) राज्य मुख्यालय और जिला मुख्यालय से 15 किलोमीटर की परिधि से परे के समस्त स्थान जहाँ के लिए बस सेवा उपलब्ध नहीं है और 3 (तीन) किलोमीटर से अधिक की पैदल यात्रा करनी पड़ती है।
- (iii) कर्मचारी का, उसके प्रवर्ग को ध्यान में लाए बिना, अपने गृहनगर या गृहनगर क्षेत्र के साथ लगता 20 किलोमीटर की परिधि के भीतर का क्षेत्र।

(II) प्रोन्नति के सभी मामलों में पद पर नियमित नियुक्ति से पूर्व, सम्भरक (पोषक) पद पर की गई लगातार तदर्थ सेवा, यदि कोई हो, इन नियमों में यथाविहित सेवाकाल के लिए, इस शर्त के अधीन प्रोन्नति के लिए गणना में ली जाएगी, कि सम्भरक (पोषक) प्रवर्ग में तदर्थ नियुक्ति/प्रोन्नति भर्ती और प्रोन्नति नियमों के उपबन्धों के अनुसार चयन की उचित स्वीकार्य प्रक्रिया को अपनाने के पश्चात् की गई थी:

(i) परन्तु उन सभी मामलों में जिनमें कोई कनिष्ठ व्यक्ति सम्भरक (पोषक) पद में अपने कुल सेवाकाल (तदर्थ आधार पर की गई सेवा सहित, जो नियमित सेवा/नियुक्ति के अनुसरण में हो) के आधार पर उपर्युक्त निर्दिष्ट उपबन्धों के कारण विचार किए जाने का पात्र हो जाता है, वहाँ उससे वरिष्ठ सभी व्यक्ति अपने-अपने प्रवर्ग/पद/कांडर में विचार किए जाने के पात्र समझे जाएंगे और विचार करते समय कनिष्ठ व्यक्ति से ऊपर रखे जाएंगे:

परन्तु यह और कि उन सभी पदधारियों की, जिन पर प्रोन्नति के लिए विचार किया जाना है, की कम से कम तीन वर्ष की न्यूनतम अर्हता सेवा या पद के भर्ती और प्रोन्नति नियमों में विहित सेवा, जो भी कम हो, होगी:

परन्तु यह और भी कि जहाँ कोई व्यक्ति पूर्वगामी परन्तुक की अपेक्षाओं के कारण प्रोन्नति किए जाने सम्बन्धी विचार के लिए अपात्र हो जाता है, वहाँ उससे कनिष्ठ व्यक्ति भी ऐसी प्रोन्नति के विचार के लिए अपात्र समझा जाएगा/समझे जाएंगे।

**स्पष्टीकरण.**—अंतिम परन्तुक के अन्तर्गत कनिष्ठ पदधारी प्रोन्नति के लिए अपात्र नहीं समझा जाएगा यदि वरिष्ठ अपात्र व्यक्ति भूतपूर्व सैनिक है जिसे डिमोबीलाइज्ड आमर्ड फोर्सिज परसोनल (रिजर्वेशन ऑफ वैकेन्सीज इन हिमाचल स्टेट नॉन टैक्नीकल सर्विसीज) रूलज, 1972 के नियम 3 के उपबन्धों के अन्तर्गत भर्ती किया गया है और तदधीन वरीयता लाभ दिए गए हों या जिसे एक्स सर्विसमैन (रिजर्वेशन ऑफ वैकेन्सीज इन दी हिमाचल प्रदेश टैक्नीकल सर्विसीज) रूलज, 1985 के नियम 3 के उपबन्धों के अन्तर्गत भर्ती किया गया हो और तदधीन वरीयता लाभ दिए गए हों।

(ii) इसी प्रकार स्थायीकरण के सभी मामलों में ऐसे पद पर नियमित नियुक्ति/प्रोन्नति से पूर्व सम्भरक (पोषक) पद पर की गई लगातार तदर्थ सेवा, यदि कोई हो, सेवाकाल के लिए गणना में ली जाएगी,

यदि तदर्थ नियुक्ति/प्रोन्नति उचित चयन के पश्चात् और भर्ती और प्रोन्नति नियमों के उपबन्धों के अनुसार की गई थी:

परन्तु की गई तदर्थ सेवा को गणना में लेने के पश्चात् जो स्थायीकरण होगा उसके फलस्वरूप पारस्परिक वरीयता अपरिवर्तित रहेगी।

12. यदि विभागीय प्रोन्नति समिति विद्यमान हो तो उसकी संरचना.—जैसा सरकार द्वारा समय-समय पर गठित की जाए।

13. भर्ती करने में जिन परिस्थितियों में हिमाचल प्रदेश लोक सेवा आयोग से परामर्श किया जाएगा.—जैसा विधि द्वारा अपेक्षित हो।

14. सीधी भर्ती के लिए अनिवार्य अपेक्षा.—लागू नहीं।

15. सीधी भर्ती द्वारा पद पर नियुक्ति के लिए चयन.—लागू नहीं।

16. आरक्षण.—सेवा में नियुक्ति, हिमाचल प्रदेश सरकार द्वारा, समय-समय पर अनुसूचित जातियों/अनुसूचित जनजातियों/अन्य पिछड़े वर्गों और व्यक्तियों के अन्य प्रवर्गों के लिए सेवा में आरक्षण की बाबत जारी किए गए आदेशों के, अधीन होगी।

17. विभागीय परीक्षा.—सेवा में प्रत्येक सदस्य को समय-समय पर यथा संशोधित हिमाचल प्रदेश विभागीय परीक्षा नियम, 1997 में यथा विहित विभागीय परीक्षा उत्तीर्ण करनी होगी।

18. शिथिल करने की शक्ति.—जहां राज्य सरकार की यह राय हो कि ऐसा करना आवश्यक या समीचीन है, वहां वह, कारणों को लिखित में अभिलिखित करके और हिमाचल प्रदेश लोक सेवा आयोग के परामर्श से, आदेश द्वारा, इन नियमों के किसी/किन्हीं उपबन्ध(उपबन्धों) को किसी वर्ग या व्यक्ति(व्यक्तियों) के प्रवर्ग या पद(पदों) की बाबत, शिथिल कर सकेगी।

*[Authoritative English Text of this Department Notification No. REV-A(A)3-1/2017 dated 02-08-2017 as required under clause (3) of Article 348 of the Constitution of India].*

## REVENUE DEPARTMENT

### NOTIFICATION

*Shimla-171002, the 2<sup>nd</sup> August, 2017*

**No. Rev-A (A) 3-1/2017.**—In exercise of the powers conferred by proviso to article 309 of the Constitution of India, the Governor, Himachal Pradesh, in consultation with the Himachal Pradesh Public Service Commission, is pleased to make the Recruitment & Promotion Rules for the post of Private Secretary, Class-I(Gazetted) in the Divisional Commissioner Offices, Deputy Commissioner Offices, Settlement Divisions and Director, Land Records in the Revenue Department as per Annexure-“A”, attached this Notification, namely:—

**1. Short title and commencement.**—(1) These rules may be called the Himachal Pradesh Department of Revenue, Divisional Commissioner Offices, Deputy Commissioner Offices, Settlement Divisions and Director, Land Records, Private Secretary, Class-I(Gazetted), Recruitment and Promotion Rules, 2017.

(2) These rules shall come into force from the date of publication in the Rajpatra, Himachal Pradesh.

By order,  
Sd/-  
A.C.S.-cum-F.C.(Rev.).

ANNEXURE-“A”

**RECRUITMENT AND PROMOTION RULES FOR THE POST OF PRIVATE SECRETARY, CLASS-I (GAZETTED),(MINISTERIAL SERVICES) IN THE REVENUE DEPARTMENT, HIMACHAL PRADESH**

1. **Name of the post.**—Private Secretary
2. **Number of post.**—18 (Eighteen)  
  
(One post each in the Divisional Commissioner offices, Deputy Commissioner offices, Settlement Divisions and Director, Land Records).
3. **Classification.**—Class-I (Gazetted) (Ministerial Services)
4. **Scale of pay.**— ₹ 15600-39100+₹ 5400 Grade Pay
5. **Whether “Selection” post or “Non-Selection” post.**—Non-Selection
6. **Age for direct recruitment.**—Not applicable.
7. **Minimum Educational and other qualifications required for direct recruit(s).**—  
(a) *Essential Qualification.*—Not applicable.  
  
(b) *Desirable Qualification.*—Not applicable.
8. **Whether age and educational qualification(s) prescribed for direct recruit(s) will apply in the case of the promotee(s).**—  
  
*Age :* Not applicable.  
  
*Educational Qualification:* Not applicable.
9. **Period of probation, if any.**—Two years subject to such further extension for a period not exceeding one year as may be ordered by the competent authority in special circumstances and reasons to be recorded in writing.
10. **Method(s) of recruitment, whether by direct recruitment or by promotion/secondment/transfer and the percentage of post(s) to be filled in by various methods.**—100% by promotion.
11. **In case of recruitment by promotion/secondment/transfer, grade from which promotion/secondment/transfer is to be made.**—By Promotion from amongst the Personal

Assistant(s) possessing 05(five) years regular service or regular combined with continuous *ad hoc* service, if any, in the grade, failing which by promotion from amongst the Personal Assistant(s) possessing 14(fourteen) years regular service or regular combined with continuous *ad hoc* service, if any, as Personal Assistant & Senior Scale Stenographer combined which shall also include 02(two) years essential service as Personal Assistant failing both by promotion from amongst the Personal Assistant(s) possessing 19 (nineteen) years regular service or regular combined with continuous *ad hoc* service, if any, as Personal Assistant, Senior Scale Stenographer & Junior Scale Stenographer combined which shall also include 02 (two) years essential service as Personal Assistant, failing all by promotion from amongst the Personal Assistant(s) possessing 24(twenty four) years regular service or regular combined with continuous *ad hoc* service, if any, as Personal Assistant, Senior Scale Stenographer, Junior Scale Stenographer & Steno Typist combined which shall also include 02(two) years essential service as Personal Assistant:

Provided that for the purpose of promotion a separate combined seniority of all the eligible official(s), except incumbents working in the Directorate of Land Records, shall be prepared on the basis of their length of service, without disturbing their cadre-wise original seniority, in the following manner:

(i) A separate combined seniority of officials working in the establishments of all Deputy Commissioners in the State shall be prepared for promotion to the posts of Private Secretary with Deputy Commissioners.

(ii) A separate combined seniority of officials working in the establishment of all Divisional Commissioners in the State shall be prepared for promotion to the posts of Private Secretary with Divisional Commissioners.

(iii) A separate combined seniority of officials working in the establishment of all Settlement Divisions in the State shall be prepared for promotion to the posts of Private Secretary with Settlement Officers:

Provided further that on the recommendation of the Departmental Promotion Committee, incumbents shall be posted/transferred accordingly against the available vacancies of Districts/Divisional/ Settlement cadre posts.

(I) Provided that for the purpose of promotion every employee shall have to serve atleast one term in the Tribal/ Difficult/Hard areas and remote/rural areas subject to adequate number of posts(s) available in such areas:

Provided further that the proviso (I) *supra* shall not be applicable in the case of those employees who have five years or less service, left for superannuation except posting/transfer in remote/rural area. However, such incumbents may be posted/transferred to remote/rural areas in their promotion:

Provided further that Officers/Officials who have not served atleast one tenure in Tribal/Difficult/Hard areas and remote/rural areas shall be transferred to such area strictly in accordance with his/her seniority in the respective cadre.

**Explanation I.**—For the purpose of proviso (I) *supra* the “term” in Tribal/Difficult/Hard areas/remote/rural areas shall mean normally three years or less period of posting in such areas keeping in view the administrative exigencies/convenience.

**Explanation II.**—For the purpose of proviso (I) *supra* the Tribal/Difficult Areas shall be as under:—

1. District Lahaul & Spiti.
2. Pangi and Bharmour Sub Division of Chamba District.
3. Dodra Kwar Area of Rohru Sub-Division.
4. Pandrah Bis Pargana, Munish Darkali and Gram panchayat Kashapat, Gram Panchyats of Rampur Tehsil of District Shimla.
5. Pandrah Bis Pargana of Kullu District.
6. Bara Bhawal Areas of Baijnath Sub Division of Kangra District.
7. District Kinnaur.
8. Kathwar and Korga Patwar Circles of Kamrau Sub Tehsil, Bhaladh Bhalona and Sangna Patwar Circles of Renukaji Tehsil and Kota Pab Patwar Circle of Shillai Tehsil, in Sirmour District.
9. Khanyol-Bagra Patwar Circle of Karsog Tehsil, Gada-Gussaini, Mathyani, Ghanyar, Thachi, Baggi, Somgad and Kholanal of Bali-Chowki Sub Tehsil, Jharwar, Kutgarh, Graman, Devgarh, Trailla, Ropa, Kathog, Silh-Badhwani, Hastpur, Ghamrehar and Bhatehar Patwar Circle of Padhar Tehsil, Chiuni, Kalipar, Mangarh, Thach-Bagra, North Magru and South Magru Patwar Circles of Thunag Tehsil and Batwara Patwar Circle of Sunder Nagar Tehsil in Mandi District.

**Explanation III.**— For the purpose of proviso (I) *supra* the Remote/ Rural Areas shall be as under:

- (i) All stations beyond the radius of 20 Kms. from sub Division/Tehsil headquarter.
- (ii) All stations beyond the radius of 15 Kms. from State Headquarter and District head quarters where bus service is not available and on foot journey is more than 3 (three) Kms.
- (iii) Home town or area adjoining to area of home town within the radius of 20 Kms. of the employee regardless of its category.

(II) In all cases of promotion, the continuous *adhoc* services rendered in the feeder post, if any, prior to regular appointment to the post shall be taken into account towards the length of service as prescribed in these rules for promotion subject to the condition that the *adhoc* appointment/promotion in the feeder category had been made after following proper acceptable process of selection in accordance with the provisions of R&P Rules:

- (i) Provided that in all cases where a junior person becomes eligible for consideration by virtue of his total length of service (including the service rendered on *adhoc* basis followed by

regular service/appointment) in the feeder post in view of the provisions referred to above, all persons senior to him in the respective category post/cadre shall be deemed to be eligible for consideration and placed above the junior person in the field of consideration:

Provided that all incumbents to be considered for promotion shall possess the minimum qualifying service of at least three years or that prescribed in the Recruitment & Promotion rules for the post, whichever is less:

Provided further that where a person becomes ineligible to be considered for promotion on account of the requirements of the preceding proviso, the person(s) junior to him shall also be deemed to be ineligible for consideration for such promotion.

**EXPLANATION.**—The last proviso shall not render the junior incumbents ineligible for consideration for promotion if the senior ineligible person happened to be Ex-servicemen recruited under the provisions of rule-3 of Demobilized Armed Forces Personnel (Reservations of vacancies in Himachal State Non-Technical Services) Rules, 1972 and having been given the benefit of seniority thereunder or recruited under the provisions of Rule-3 of Ex-servicemen (Reservations of vacancies in the Himachal Pradesh Technical Services) Rules, 1985 and having been given the benefit of seniority thereunder.

(ii) Similarly in all cases of confirmation, continuous *adhoc* service rendered on the feeder post, if any, prior to the regular appointment against such posts shall be taken into account towards the length of service, if the *adhoc* appointment/promotion had been made after proper selection and in accordance with the provisions of Recruitment & Promotion rules:

Provided that *inter-se*-seniority as a result of confirmation after taking into account, *adhoc* service rendered shall remain unchanged.

**12. If a Departmental Promotion Committee exists, what is its composition.**—As may be constituted by the Government from time to time.

**13. Circumstances under which the Himachal Pradesh Public Service Commission is to be consulted in making recruitments.**—As required under the Law.

**14. Essential requirement for a direct recruitment.**—Not Applicable.

**15. Selection for appointment to post by direct recruitment.**—Not Applicable.

**16. Reservation.**—The appointment to the service shall be subject to orders regarding reservation in the service for Scheduled Caste/Scheduled Tribe/ Other Backward Classes/other categories of persons issued by the Himachal Pradesh Government from time to time.

**17. Departmental Examination.**—Every member of the service shall pass a Departmental Examination as prescribed in the H.P. Departmental Examination Rules, 1997, as amended from time to time.

**18. Power to relax.**—Where the State Government is of the opinion that it is necessary or expedient to do so, it may, by order for reasons to be recorded in writing and in consultation with the Himachal Pradesh Public Service Commission relax any of the provision(s) of these rules with respect to any class or category of person(s) or posts.

**स्वास्थ्य एवं परिवार कल्याण विभाग****अधिसूचना**

शिमला-171 002, 21 जुलाई, 2017

**संख्या : स्वास्थ्य-ए-ए(3)-1/99.**—हिमाचल प्रदेश के राज्यपाल, भारत के संविधान के अनुच्छेद 309 के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, हिमाचल प्रदेश लोक सेवा आयोग के परामर्श से, हिमाचल प्रदेश स्वास्थ्य एवं परिवार कल्याण विभाग में स्वास्थ्य शिक्षक, वर्ग-III (अराजपत्रित) के पद के लिए इस अधिसूचना से संलग्न उपाबन्ध-"क" के अनुसार भर्ती और प्रोन्नति नियम बनाते हैं, अर्थात् :-

**1. संक्षिप्त नाम और प्रारम्भ.**—(1) इन नियमों का संक्षिप्त नाम हिमाचल प्रदेश स्वास्थ्य एवं परिवार कल्याण विभाग स्वास्थ्य शिक्षक, वर्ग-III (अराजपत्रित) भर्ती और प्रोन्नति नियम, 2017 है।

(2) ये नियम राजपत्र (ई-गज़ट), हिमाचल प्रदेश में प्रकाशित किए जाने की तारीख से प्रवृत्त होंगे।

**2. निरसन और व्यावृत्तियां.**—(1) इस विभाग की अधिसूचना संख्या स्वास्थ्य-क-ए(3)-41/96, तारीख 29 अक्टूबर, 1999 द्वारा अधिसूचित हिमाचल प्रदेश स्वास्थ्य एवं परिवार कल्याण विभाग स्वास्थ्य शिक्षक, वर्ग-III (अराजपत्रित) भर्ती और प्रोन्नति नियम, 1999 का एतद्वारा निरसन किया जाता है।

(2) ऐसे निरसन के होते हुए भी उपर्युक्त उप नियम 2(1) के अधीन इस प्रकार निरसित नियमों के अधीन की गई कोई नियुक्ति, बात या कार्यवाई इन नियमों के अधीन विधिमाम्य रूप में की गई समझी जाएगी।

आदेश द्वारा,  
हस्ताक्षरित /—  
प्रधान सचिव (स्वास्थ्य)।

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उपाबन्ध — "क"

**स्वास्थ्य एवं परिवार कल्याण विभाग हिमाचल प्रदेश में स्वास्थ्य शिक्षक, वर्ग-III (अराजपत्रित) के पद के लिए भर्ती और प्रोन्नति नियम**

- 1. पद का नाम.**—स्वास्थ्य शिक्षक
- 2. पद (पदों) की संख्या.**—99 (निन्यानवे)
- 3. वर्गीकरण.**—वर्ग-III (अराजपत्रित) अलिपिक वर्गीय सेवाएं
- 4. वेतमान.**—₹10300-34800 जमा ₹ 4200/- ग्रेड पे
- 5. "चयन" पद अथवा "अचयन पद".**—लागू नहीं
- 6. सीधी भर्ती के लिए आयु.**—लागू नहीं
- 7. सीधी भर्ती किए जाने वाले व्यक्ति (व्यक्तियों) के लिए अपेक्षित न्यूनतम शैक्षिक और अन्य अर्हताएं.**—(क) अनिवार्य अर्हताएं.—लागू नहीं।



(ख) वांछनीय अर्हताएं.—लागू नहीं ।

8. सीधी भर्ती किए जाने वाले व्यक्ति (व्यक्तियों) के लिए विहित आयु और शैक्षिक अर्हताएँ प्रोन्नत व्यक्ति (व्यक्तियों) की दशा में लागू होंगी या नहीं:

(क) आयु.—लागू नहीं ।

(ख) शैक्षिक अर्हताएं.—जैसी नीचे स्तम्भ संख्या 11 के सामने विहित हैं

9. परीक्षा की अवधि, यदि कोई हो.—लागू नहीं ।

10. भर्ती की पद्धति : भर्ती सीधी होगी या प्रोन्नति/सैकेण्डमैंट/स्थानान्तरण द्वारा और विभिन्न पद्धतियों द्वारा भरी जाने वाले पद(पदों) की प्रतिशतता.—शतप्रतिशत स्थानापन्न द्वारा, ऐसा न होने पर प्रोन्नति द्वारा ।

11. प्रोन्नति/सैकेण्डमैंट/स्थानान्तरण द्वारा भर्ती की दशा में वे श्रेणियां (ग्रेड) जिनसे प्रोन्नति/सैकेण्डमैंट/स्थानान्तरण किया जाएगा.—पुरुष स्वास्थ्य पर्यवेक्षकों/महिला स्वास्थ्य पर्यवेक्षकों में से स्थानापन्न द्वारा जो स्वास्थ्य शिक्षा में मान्यता प्राप्त डिप्लोमा रखते हों तथा जिनका पांच वर्ष का नियमित सेवाकाल या ग्रेड में की गई लगातार तदर्थ सेवा, यदि कोई हो, को सम्मिलित करके पांच वर्ष का नियमित सेवाकाल हो, ऐसा न होने पर पुरुष स्वास्थ्य कार्यकर्त्ताओं/महिला स्वास्थ्य कार्यकर्त्ताओं में से प्रोन्नति द्वारा जो स्वास्थ्य शिक्षा में मान्यता प्राप्त डिप्लोमा रखते हों तथा जिनका दस वर्ष का नियमित सेवाकाल या ग्रेड में की गई लगातार तदर्थ सेवा, यदि कोई हो, को सम्मिलित करके दस वर्ष का नियमित सेवाकाल हो:

परन्तु स्थानापन्न/प्रोन्नति के प्रयोजन के लिए पुरुष स्वास्थ्य पर्यवेक्षक/महिला स्वास्थ्य पर्यवेक्षक और पुरुष स्वास्थ्य कार्यकर्त्ता/महिला स्वास्थ्य कार्यकर्त्ता का पद धारण करने वाले पात्र कर्मचारियों की उनकी संवर्गवार परस्परिक वरिष्ठता को छोड़े बिना एक संयुक्त वरिष्ठता सूची तैयार की जाएगी ।

(I) प्रोन्नति के प्रयोजन के लिए प्रत्येक कर्मचारी को जनजातीय/कठिन/दुर्गम क्षेत्रों और दूरस्थ ग्रामीण क्षेत्रों में पद (पदों) की ऐसे क्षेत्रों में पर्याप्त संख्या की उपलब्धता के अध्वधीन, कम से कम एक कार्यकाल तक सेवा करनी होगी:

परन्तु उपरोक्त परन्तुक (1) उन कर्मचारियों के मामले में लागू नहीं होगा जिनकी अधिवर्षिता के लिए पांच वर्ष या उससे कम की सेवा शेष रही हों । तथापि पांच वर्ष की यह शर्त प्रोन्नति के मामलों में लागू नहीं होगी :

परन्तु यह और भी कि उन अधिकारियों/कर्मचारियों को, जिन्होंने जनजातीय/कठिन/दुर्गम क्षेत्र और दूरस्थ ग्रामीण क्षेत्रों में कम से कम एक कार्यकाल तक सेवा नहीं की है, ऐसे क्षेत्र में उसके अपने संवर्ग (कांडर) में सर्वथा वरिष्ठता के अनुसार स्थानान्तरण किया जाएगा ।

**स्पष्टीकरण I.**—उपरोक्त परन्तुक (1) के प्रयोजन के लिए जनजातीय/कठिन/दुर्गम क्षेत्रों/दूरस्थ/ग्रामीण क्षेत्रों में “कार्यकाल” से साधारणतया तीन वर्ष की अवधि या प्रशासनिक अत्यावश्यकताओं/सुविधाओं को ध्यान में रखते हुए ऐसे क्षेत्रों में तैनाती की इससे कम अवधि अभिप्रेत होगी ।

**स्पष्टीकरण II.**—उपरोक्त परन्तुक (1) के प्रयोजन के लिए जनजातीय/कठिन/दुर्गम क्षेत्र निम्न प्रकार से होंगे :—

1. जिला लाहौल एवं स्पिति ।

2. चम्बा जिला का पांगी और भरमौर उप-मण्डल ।

3. रोहडू उप-मण्डल का डोडरा क्वार क्षेत्र ।
4. जिला शिमला की रामपुर तहसील का पन्द्रह बीस परगना, मुनिश, दरकाली और ग्राम पंचायत काशापाट ।
5. कुल्लू जिला का पन्द्रह बीस परगना ।
6. कांगड़ा जिला के बैजनाथ उप-मण्डल का बडा भंगाल क्षेत्र ।
7. जिला किन्नौर ।
8. सिरमौर जिला में उप-तहसील कमरऊ के काठवाड़ और कोरगा पटवार वृत्त, रेणुकाजी तहसील के भलाड़-भलौना और सांगना पटवार वृत्त और शिलाई तहसील के कोटा पाब पटवार वृत्त ।
9. मण्डी जिला में करसोग तहसील का खन्योल-बगड़ा पटवार वृत्त, बाली चौकी उप तहसील के गाडा गोसाई, मठयानी, घनयाड़, थाची, बागी, सोमगाड़ और खोलानाल पटवार वृत्त, पद्धर तहसील के झारवाड़, कुटगढ़, ग्रामन, देवगढ़, ट्रैला, रोपा, कथोग, सिल्ह-भडवानी, हस्तपुर, घमरेड और भटेढ़ पटवार वृत्त, थुनांग तहसील के चियूणी, कालीपार, मानगढ़, थाच-बगड़ा, उत्तरी मगरू और दक्षिणी मगरू पटवार वृत्त और सुन्दरनगर तहसील का बटवाड़ा पटवार वृत्त ।

**स्पष्टीकरण III.**—परन्तुक (1) के प्रयोजन के लिए दुर्गम/ग्रामीण क्षेत्र इस प्रकार होंगे:—

- (i) उपमण्डल/तहसील मुख्यालय से 20 कि०मी० की परिधि से परे के समस्त स्टेशन ।
- (ii) समस्त मुख्यालय और जिला मुख्यालयों से 15 कि०मी० की परिधि से परे समस्त स्टेशन जहां बस सेवा उपलब्ध नहीं है और 3 (तीन) कि०मी० से अधिक की पैदल यात्रा करनी पड़ती है ।
- (iii) कर्मचारी का उसके प्रवर्ग को ध्यान में लाए बिना, गृहनगर या गृहनगर के साथ लगता 20 कि०मी० की परिधि के भीतर का क्षेत्र ।

(II) प्रोन्नति के सभी मामलों में पद पर नियमित नियुक्ति से पूर्व सम्भरक (पोषक) पद में की गई लगातार तदर्थ सेवा, यदि कोई हो, प्रोन्नति के लिए इन नियमों में यथाविहित सेवाकाल के लिए, इस शर्त के अधीन रहते हुए गणना में ली जाएगी, कि सम्भरक (पोषक) प्रवर्ग में तदर्थ नियुक्ति/प्रोन्नति भर्ती और प्रोन्नति नियमों के उपबन्धों के अनुसार चयन की उचित स्वीकार्य प्रक्रिया को अपनाने के पश्चात् की गई थी:

(i) परन्तु उन सभी मामलों में जिनमें कोई कनिष्ठ व्यक्ति सम्भरक (पोषक) पद में अपने कुल सेवाकाल (तदर्थ आधार पर की गई तदर्थ सेवा सहित, जो नियमित सेवा/नियुक्ति के अनुसरण में हो) के आधार पर उपर्युक्त निर्दिष्ट उपबन्धों के कारण विचार किए जाने का पात्र हो जाता है, वहां अपने-अपने प्रवर्ग/पद/काडर में उससे वरिष्ठ सभी व्यक्ति विचार किए जाने के पात्र समझे जाएंगे और विचार करते समय कनिष्ठ व्यक्तियों से ऊपर रखे जाएंगे :

परन्तु यह और कि उन सभी पदधारियों की, जिन पर प्रोन्नति के लिए विचार किया जाना है की कम से कम तीन वर्ष की न्यूनतम अहर्ता सेवा या पद के भर्ती और प्रोन्नति नियमों में विहित सेवा, जो भी कम हो, होगी:

परन्तु यह और भी कि जहां कोई व्यक्ति पूर्वगामी परन्तुक की अपेक्षाओं के कारण प्रोन्नति किए जाने सम्बन्धी विचार के लिए अपात्र हो जाता है, वहां उससे कनिष्ठ व्यक्ति भी ऐसी प्रोन्नति के विचार के लिए अपात्र समझा जाएगा/समझे जाएंगे ।

**स्पष्टीकरण.**—अन्तिम परन्तुक के अन्तर्गत कनिष्ठ पदधारी प्रोन्नति के लिए अपात्र नहीं समझा जाएगा यदि वरिष्ठ अपात्र व्यक्ति भूतपूर्व सैनिक है जिसे डिमोबिलाईज्ड आर्मड फोर्सिस परसोनल (रिजर्वेशन ऑफ वैकेन्सीज इन हिमाचल स्टेट नान टैक्नीकल सर्विसिज) रुलज, 1972 के नियम-3 के उपबन्धों के अन्तर्गत भर्ती किया गया है और इनके अन्तर्गत वरीयता लाभ दिए गये हों या जिसे एक्स सर्विसमैन (रिजर्वेशन ऑफ वैकेन्सीज इन दी हिमाचल प्रदेश टेक्निकल सर्विसिज) रुलज, 1985 के नियम-3 के उपबन्धों के अन्तर्गत भर्ती किया गया हो और इनके अन्तर्गत वरीयता लाभ दिए गये हो।

(ii) इसी प्रकार स्थाईकरण के सभी मामलो में ऐसे पद पर नियमित नियुक्ति/प्रोन्नति से पूर्व सम्भरक पोषक पद पर की गई लगातार तदर्थ सेवा, यदि कोई हो, सेवाकाल के लिए गणना में ली जाएगी, यदि तदर्थ नियुक्ति/प्रोन्नति उचित चयन के पश्चात और भर्ती और प्रोन्नति नियमों के उपबन्धों के अनुसार की गई थी :

परन्तु की गई उपर्युक्त निर्दिष्ट तदर्थ सेवा को गणना में लेने के पश्चात् जो स्थायीकरण होगा उसके फलस्वरूप पारस्परिक वरीयता अपरिवर्तित रहेगी।

**12. यदि विभागीय प्रोन्नति समिति विद्यमान हो तो उसकी संरचना.**—जैसी सरकार द्वारा समय समय पर गठित की जाए।

**13. भर्ती करने में जिन परिस्थितियों में हिमाचल प्रदेश लोक सेवा आयोग से परामर्श किया जाएगा.**—जैसा विधि द्वारा अपेक्षित हो।

**14. सीधी भर्ती के लिए अनिवार्य अपेक्षाएं.**—लागू नहीं।

**15. सीधी भर्ती द्वारा पद पर चयन.**—लागू नहीं।

**16 आरक्षण.**—सेवा में नियुक्ति, हिमाचल प्रदेश सरकार द्वारा, समय-समय पर अनुसूचित जातियों/अनुसूचित जन जातियों/अन्य पिछड़े वर्गों और अन्य प्रवर्ग के व्यक्तियों के लिए सेवाओं में आरक्षण की बाबत जारी किए गए आदेशों के अधीन होगी।

**17. विभागीय परीक्षा.**—लागू नहीं।

**18. शिथिल करने की शक्ति.**—जहां राज्य सरकार की यह राय हो कि ऐसा करना आवश्यक या समीचीन है, वहां वह, कारणों को लिखित में अभिलिखित करके और हिमाचल प्रदेश लोक सेवा आयोग के परामर्श से, आदेश द्वारा, इन नियमों के किन्हीं उपबन्धों को किसी वर्ग या व्यक्ति (व्यक्तियों) के प्रवर्ग या पद (पदों) की बाबत, शिथिल कर सकेगी।

*[Authoritative English Text of this Department Notification No. Health-A-A(3)-1/99, dated 21-7-2017 as required under clause (3) of Article 348 of the Constitution of India].*

## HEALTH & FAMILY WELFARE DEPARTMENT

### NOTIFICATION

*Shimla-171002, the 21<sup>st</sup> July, 2017*

**No. Health-A-A(3)-1/99.**—In exercise of the powers conferred by proviso to Article 309 of the Constitution of India, the Governor, Himachal Pradesh, in consultation with the Himachal Pradesh Public Service Commission, is pleased to make the following Recruitment and Promotion

Rules for the post of Health Educator, Class-III (Non-Gazetted) in the Department of Health & Family Welfare, Himachal Pradesh as per Annexure-"A" attached to this notification, namely :—

**1. Short title and Commencement.**—(1) These rules may be called the Himachal Pradesh, Department of Health and Family Welfare, Health Educator, Class-III (Non-Gazetted) Recruitment and Promotion Rules, 2017.

(2) These rules shall come into force from the date of publication in the Rajpatra (e-Gazette) Himachal Pradesh.

**2. Repeal and savings.**—(1) The Himachal Pradesh, Department of Health and Family Welfare, Health Educator, Class-III (Non-Gazetted), Recruitment & Promotion Rules, 1999 notified vide this Department Notification No. Health-A-A(3)-41/96, dated 29 October, 1999 are hereby repealed.

(2) Notwithstanding such repeal, any appointment made or anything done or any action taken under the rules, so repealed under sub-rule 2 (1) *supra* shall be deemed to have been validly made or done or taken under these rules.

By order,  
Sd/-

*Pr. Secretary (Health).*

ANNEXURE "A"

**RECRUITMENT AND PROMOTION RULES FOR THE POST OF HEALTH EDUCATOR  
(NON – GAZETTED) CLASS-III, IN THE DEPARTMENT OF HEALTH AND FAMILY  
WELFARE, HIMACHAL PRADESH**

- 1. Name of the post.**—Health Educator
- 2. Number of post.**—99 (Ninety nine)
- 3. Classification.**—Class-III (Non-Gazetted)  
Non- Ministerial Service.
- 4. Scale of Pay.**—₹10300-34800 + ₹ 4200/- Grade Pay
- 5. Whether "Selection" post or "Non- Selection" post.**— Not Applicable.
- 6. Age for direct recruitment.**—Not applicable
- 7. Minimum educational and other qualification required for direct recruit(s).**—(a)  
*Essential Qualification.*—Not applicable.  
(b) *Desirable Qualification.*—Not applicable.

**8. Whether age and educational qualification(s) prescribed for direct recruit(s) will apply in case of the promotee(s).—**

*Age.*—Not applicable.

*Educational qualification.*—As prescribed against Column No. 11 below.

**9. Period of probation, if any.**—Not applicable.

**10. Method(s) of recruitment, whether by direct recruitment or by promotion/secondment/transfer and the percentage of post(s) to be filled in by various methods.**—100% by placement, failing which by promotion.

**11. In case of recruitment by promotion/secondment/transfer, grade from which promotion/secondment/transfer is to be made.**—By placement from amongst the Male Health Supervisors/Female Health Supervisors who possess a recognized Diploma in Health Education with five years regular service or regular combined with continuous *ad hoc* service, if any, in the grade failing which by promotion from amongst the Male Health Workers/Female Health Workers who possess a recognized Diploma in Health Education with ten years regular service or regular combined with continuous *ad hoc* service, if any, in the grade:

Provided that for the purpose of placement/ promotion a combined seniority list of eligible officials holding the post of Male Health Supervisor/Female Health Supervisor and Male Health Worker/Female Health Worker on the basis of length of service without disturbing their cadre-wise inter-se-seniority shall be prepared:

(1) Provided that for the purpose of promotion every employee shall have to serve at least one term in the Tribal/Difficult/Hard areas and remote/rural areas subject to adequate number of post (s) available in such areas:

Provided further that the *proviso* (I) *supra* shall not be applicable in the case of those employees who have five years or less service, left for superannuation. However, this condition of five years shall not be applicable in the cases of promotion:

Provided further that Officer/Official who have not served at least one tenure in Tribal/Difficult/ Hard areas and remote/rural areas shall be transferred to such area strictly in accordance with his/ her seniority in the respective cadre.

**Explanation I.**—For the purpose of *proviso*-(I) *supra* the “ term” in Tribal/Difficult/Hard areas/ remote/ rural areas shall mean normally three years or less period of posting in such areas keeping in view the administrative exigencies/convenience.

**Explanation II.**—For the purpose of *proviso* (I) *supra* the Tribal/Difficult Area shall be as under :—

1. Distt. Lahaul & Spiti.
2. Pangi and Bharmaur Sub Division of Chamba District.
3. Dodra Kwar Area of Rohru Sub-Division.
4. Pandrah Bis Pargana, Munish Darkali and Gram Panchayat Kashapat, Gram Panchayats of Rampur Tehsil of District Shimla.

- 5 Pandrah Bis Pargana of Kullu District.
- 6 Bada Bhangal Area of Baijnath Sub Division of Kangra District.
- 7 District Kinnaur.
- 8 Kathwar and Korga Patwar Circles of Kamrau Sub Tehsil, Bhaladh Bhalona and Sangna Patwar Circles of Renukaji Tehsil and Kota Pab Patwar Circle of Shillai Tehsil, in Sirmaur District.
- 9 Khanyol-Bagra Patwar Circle of Karsog Tehsil, Gada-Gussaini, Mathyani, Ghanyar, Thachi, Baggi Somgad and Kholanal of Bali-Chowki Sub Tehsil, Jharwar, kutgarh, Graman, Devgarh, Trailla, Ropa, Kathog, Silh-Badhwani, Hastpur, Ghamrehar and Bhatehar Patwar Circle of Padhar Tehsil, Chiuni, Kalipar, Mangarh, Thach-Bagra, North Magru and South Magru Patwar Circles of Thunag Tehsil and Batwara Patwar Circle in Sunder Nager Tehsil in Mandi District.

**Explanation III.**—For the purpose of proviso (I) supra the Remote / Rural Area shall be as under:—

- (i) All stations beyond the radius of 20 Kms. from Sub Division/Tehsil headquarter.
- (ii) All stations beyond the radius of 15 Kms. from State Headquarter and District head quarters where bus service is not available and on foot journey is more than 3 (three) Kms.
- (iii) Home town or area adjoining to area of home town within the radius of 20 Kms. of the employee regardless of its category.

(II) In all cases of promotion, the continuous adhoc service rendered in the feeder post if any, prior to regular appointment to the post shall be taken into account towards the length of service as prescribed in these rules for promotion subject to the condition that the *adhoc* appointment/promotion in the feeder category had been made after following proper acceptable process of selection in accordance with the provisions of R&P Rules:

(i) Provided that in all cases where a junior person becomes eligible for consideration by virtue of his /her total length of service (including the service rendered on adhoc basis, followed by regular service/appointment) in the feeder post in view of the provisions referred to above, all persons senior to him in the respective category post/ grade shall be deemed to be eligible for consideration and placed above the junior person in the field of consideration:

Provided that all incumbents to be considered for promotion shall possess the minimum qualifying service of at least three years or that prescribed in the R & P Rules for the post, whichever is less:

Provided further that where a person becomes ineligible to be considered for the promotion on account of the requirements of the preceding proviso, the person (s) junior to him shall also be deemed to be ineligible for consideration for such promotion.

**Explanation.**—The last proviso shall not render the junior incumbents ineligible for consideration for promotion if the senior ineligible persons happened to Ex-servicemen recruited under the provisions of Rule-3 of the Demobilized Armed Forces Personnel (Reservation of

Vacancies in Himachal State Non-Technical Services) Rules, 1972 and having been given the benefit of seniority thereunder or recruited under the provision of Rule-3 of Ex-Servicemen (Reservation of Vacancies in the Himachal Pradesh Technical Services) Rules, 1985 and having been given the benefit of seniority there- under.

(ii) Similarly, in all cases of confirmation, continuous *ad hoc* service rendered on the feeder post, if any, prior to the regular appointment against such posts shall be taken into account towards the length of service, if the *ad hoc* appointment/promotion had been made after proper selection and in accordance with the provision of the Recruitment & Promotion Rules:

Provided that inter-se-seniority as a result of confirmation after taking into account, *ad hoc* service rendered shall remain unchanged.

**12. If a Departmental Promotion Committee exists, what is its composition.**—As may be constituted by the Government from time to time.

**13 Circumstances under which the HPPSC is to be consulted in making recruitment.**—As required under the Law.

**14 Essential requirement for direct recruitment.**—Not applicable.

**15 Selection for appointment to post by direct recruitment.**—Not applicable.

**16. Reservation.**—The appointment to the service shall be subject to the orders regarding reservation in the service for Scheduled Castes/Scheduled Tribal/Other Backward Classes/other categories of persons issued by the Himachal Pradesh Government from time to time.

**17. Departmental Examination.**—Not Applicable.

**18. Powers to relax.**—Where the State Government is of the opinion that it is necessary or expedient to do so, it may, by order for reasons to be recorded in writing and in consultation with the Himachal Pradesh Public Service Commission relax any of the provision(s) of these Rules with respect to any class or category of person (s) or post(s).

## CHANGE OF NAME

I have filed a civil suit No. 190-1 of 2014 on 22-08-2014 in the Court of Abha Chauhan, Civil Judge, Court No. 5, Shimla District Shimla, H.P. for the change of my name from Sant Ram to Satya Parkash.

Now, the hon'ble Court has passed the order in my favour on 1st may, 2017 for the change of name. So therefore, all the concerned please note for future.

SATYA PARKASH,  
s/o Shri Rewat Singh,  
r/o Sumitra Cottage, Shiv Shakti Vihar,  
Chhota Shimla, H.P.

